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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Blake and Jenna Miller, individually and on  
behalf of C.M., a minor child,

Plaintiffs,

v.

United States of America,

Defendant.

Case No. 2:19-cv-01293-APG-VCF

**Stipulation and Order to Amend  
Discovery Plan and Extend Deadlines  
(Fourth Request)**

Pursuant to Local Rules IA 6-1 and 26-4, Plaintiffs Blake and Jenna Miller, individually and on behalf of C.M., and Defendant United States of America, through counsel, submit the following Stipulation to Extend Deadlines 30 days. This is the fourth request for an extension of case deadlines.

**A. Discovery Completed:**

1. The parties have exchanged Rule 26(a) disclosures and supplements.
2. The United States has subpoenaed and received Plaintiffs' medical records from all known providers.
3. The United States has served discovery requests (interrogatories and requests for production) and Plaintiffs have responded to those requests.
4. Defendant has responded to Plaintiffs' discovery requests (interrogatories, requests for production, and requests for admissions).

5. Plaintiffs have deposed three treating providers.

6. Defendant's IME expert has conducted a virtual IME of C.M.

7. The parties have designated and disclosed initial experts.

**B. Need for Extension of Discovery Plan:**

On October 17, 2020, the parties made their initial disclosure of experts. Plaintiff designated 10 retained experts and Defendant designated 8 retained experts. The parties request a 30 day extension to the rebuttal expert discovery deadline to November 18, 2020, which will require a 30 day extension for the remaining discovery deadlines. The parties believe good cause exists for the brief extension of the rebuttal expert deadline to provide time for the rebuttal experts to review the recently produced expert reports and provide their rebuttals.

**C. Proposed New Discovery Schedule:**

**1. Discovery Cutoff date:** Discovery cutoff is currently scheduled for November 27, 2020, and will be continued to **December 28, 2020**.

**2. Rebuttal Expert Disclosures** currently due October 19, 2020, will be continued to **November 18, 2020**.

**3. Dispositive Motions:** Dispositive motions are currently due December 17, 2020, and will be continued to **January 27, 2021** which is 30 days after discovery cutoff.

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1       **4. Pretrial Order:** A Joint Pretrial Order shall be filed by **February 26, 2021**, which  
2 is 30 days after the deadline for filing dispositive motions. However, if any dispositive  
3 motions are filed, then the Joint Pretrial order shall be due 30 days after decision on such  
4 motion(s). Disclosures under Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be  
5 included in the Joint Pretrial order.

6       Respectfully submitted this 29th day of September 2020.

7       Whitehurst, Harkness, Brees, Cheng,  
8       Alsaffar, Higginbotham & Jacob, PLLC

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/s/ Brianna Smith  
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16       **IT IS SO ORDERED:**



17       \_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

18       10-2-2020

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